

MAR. 10. 2005 11:49AM

3175212883 ROCHE IP LAW DEPT

NO. 0791 P. 1

Application No. 09/733,565

Attorney docket: RDS 1037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 10 2005

In re Application of: MCNALLY, Alan J. *et al.*
Serial No: 09/733,565
Filed: December 8, 2000
For: IMMUNOASSAY BASED ON DNA REPLICATION USING
Labeled PRIMER
Art Unit: 1637
Examiner: Gary Benzion

RESPONSE TO TELEPHONE REQUEST

Gary Benzion
US Patent Office
P. O. Box 1450
Alexandria, VA 22313-1450

March 10, 2005

Dear Gary:

Attached is a copy of the Information Disclosure Statement filed by me on May 9, 2001, and the date-stamped return post card.

There has been no supplemental IDS or preliminary amendment filed in this case.

Yours truly,



Marilyn L. Amick
Reg. No. 30,444

Customer No. 23690
Phone: 317-521-7561
Fax: 317-521-2883

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.
RDID1037US

In Re Application Of: McNally, Alan J., et al.

Serial No.
09/733,565Filing Date
December 8, 2000Examiner
To Be AssignedGroup Art Unit
1645

Title: IMMUNOASSAY BASED ON DNA REPLICATION USING LABELED PRIMER

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

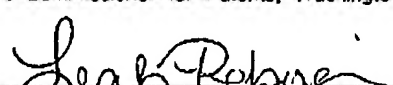
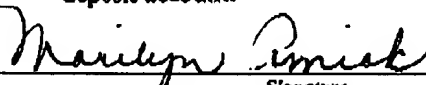
whichever occurs first.

Also submitted herewith is:

- ☐ a certification as specified in 37 CFR 1.97(e);

OR

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

| | | | |
|---|--|---|---------------------------------|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | Docket No. RDID1037US |
| In Re Application Of: McNally, Alan J., et al. | | | |
| Serial No. 09/733,565 | Filing Date December 8, 2000 | Examiner To Be Assigned | Group Art Unit 1645 |
| Title: IMMUNOASSAY BASED ON DNA REPLICATION USING LABELED PRIMER | | | |
| Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) | | | |
| <input type="checkbox"/> A check in the amount of _____ is attached. | | | |
| <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 02-2958 as described below. A duplicate copy of this sheet is enclosed. | | | |
| <input type="checkbox"/> Charge the amount of _____ | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | |
| <input checked="" type="checkbox"/> Charge any additional fee required. | | | |
| Certificate of Transmission by Facsimile* | | Certificate of Mailing by First Class Mail | |
| <div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)</p><p>_____ (Date)</p><hr/><p style="text-align: center;">Signature</p><hr/><p style="text-align: center;">Typed or Printed Name of Person Signing Certificate</p></div> | | <div style="border: 1px solid black; padding: 5px;"><p>I certify that this document and fee is being deposited on <u>May 9, 2001</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p><p style="text-align: center;"> Signature of Person Mailing Correspondence</p><hr/><p style="text-align: center;">Leah Robison</p><hr/><p style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</p></div> | |
| <p>*This certificate may only be used if paying by deposit account.</p> | | | |
| <div style="border: 1px solid black; padding: 5px;"><p style="text-align: center;"> Signature</p><p>Marilyn L. Amick, Reg. No. 30,444 Roche Diagnostics Corporation 9115 Hague Road P.O. Box 50457 Indianapolis, IN 46250 Tel.: (317) 521-7561 Fax: (317) 521-2883</p></div> | | Dated: <u>5/9/2001</u> | |
| cc: | | | |

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3175212883 ROCHE IP LAW DEPT

NO. 0791 P. 4

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY DOCKET NO.

RDID1037L

SERIAL NO.

09/733,565

McNally, Alan J., et al.

FILING

December 8, 2000

GROUP

1645

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|-------|---------------|-------|----------|-------------------------------|
| 1 | 4,299,916 | 11/81 | Litman et al. | G01N | 33/54 | |
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FOREIGN PATENT DOCUMENTS

| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|---|-----------------|-------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| 2 | EP0816364A1 | 01/98 | Europe | C07D | 457/06 | | |
| 3 | JP3167474 | 07/91 | Japan | G01N | 33/543 | ✓ | |
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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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|---|---|
| 4 | J.C. Nicolas, et al., "Une Phase Solide Bioluminescente Pour Les Dosages Immunologiques et la Detection de Sondes Nucleiques" Ann. Biol. Clin., 1990, 48, 573-578 |
| | |
| | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-A820

(also form PTO-1449)

P09C/REV03

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PAGE 1 OF 1

PAGE 4/5 * RCVD AT 3/10/2005 12:48:34 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/26 * DNIS:2730782 * CSID:3175212883 * DURATION (mm:ss):01:22

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3175212883 ROCHE IP LAW DEPT

NO. 0791 P. 5

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THIS STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HEREON WILL BE ACCEPTED AS EVIDENCE OF THE RECEIPT OF THE FOLLOWING:

Inventors: McNally, Alan J., et al.

Serial No.: 09/733,565

Filing Date: December 8, 2000

Entitled: IMMUNOSSAY BASED ON DNA REPLICATION USING LABELED PRIMER

Our Ref. No.: RDID1037US

Enclosures: Transmittal of Information Disclosure Statement (2pgs) page 2 in duplicate, Information Disclosure Citation (1pg), Copies of references listed thereon, and return postcard

Mailed Via First Class Mailed on

May 9, 2001

MA/r

